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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2013-540*

11 **SYDNEY CLAIRE BRULJA aka SYDNEY**  
12 **CLAIRE EMERSON**  
13 **309 S. Magnolia Ave.**  
**Monrovia, CA 91016**

**ACCUSATION**

14  
15 **Registered Nurse License No. 547322**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
21 Department of Consumer Affairs.

22 2. On or about August 26, 1998, the Board issued Registered Nurse License Number  
23 547322 to Sydney Claire Brulja aka Sydney Claire Emerson (Respondent). The Registered Nurse  
24 License was in full force and effect at all times relevant to the charges brought herein and will  
25 expire on February 28, 2014, unless renewed.

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1       "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any  
2 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this  
3 section."

#### 4                                   **COST RECOVERY PROVISION**

5       8.     Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
6 administrative law judge to direct a licentiate found to have committed a violation or violations of  
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
8 enforcement of the case. Nothing in this section shall preclude a board from including the  
9 recovery of the costs of the investigation and enforcement of a case in any stipulated settlement.

#### 10                                   **DRUG DEFINITION**

11       9.     **Hydromorphone Hydrochloride (Dilaudid)** – a Schedule II controlled substance  
12 pursuant to Health and Safety Code section 11055 (b)(1)(j), and a dangerous drug pursuant to  
13 Business and Professions Code section 4022. It is a narcotic analgesic used for the relief of  
14 severe pain.

15       10.    **Lorazepam (Ativan)** – a Schedule IV controlled substance pursuant to Health and  
16 Safety Code section 11057 (d)(16), and a dangerous drug pursuant to Business and Professions  
17 Code section 4022. It is a psychotropic drug for the management of anxiety disorders.

18       11.    **Morphine/Morphine Sulfate** – a Schedule II controlled substance pursuant to Health  
19 and Safety Code section 11055 (b)(1)(l), and a dangerous drug pursuant to Business and  
20 Professions Code section 4022. It is a potent opioid analgesic for relief of pain.

21       12.    **Vicodin** – a Schedule III controlled substance pursuant to Health and Safety Code  
22 section 11056 (e)(4), and a dangerous drug pursuant to Business and Professions Code section  
23 4022. It is a semisynthetic narcotic analgesic.

#### 24                                   **GLENDALE ADVENTIST MEDICAL CENTER**

25       13.    Respondent was employed as a registered nurse in the Emergency Department of  
26 Glendale Adventist Medical Center ("GAMC") for several years to on or about June 16, 2010. At  
27 all times relevant to the charges herein, GAMC used a drug dispensing system called the  
28 "Omnicell". The Omnicell is a computerized automated medication dispensing machine. The

user enters a password to gain access and dispense medication from the machine. The machine records the user name, patient name, medication, dose, date and time of the withdrawal. Omnicell is integrated with hospital pharmacy inventory management systems.

14. On or about June 16, 2010, Respondent was terminated from the GAMC for diversion of narcotics. GAMC's investigation revealed several discrepancies in Respondent's narcotic transactions. The investigation revealed that Respondent withdrew narcotics without a physician's orders, failed to properly chart narcotics or follow physician orders, withdrew larger doses of narcotics than ordered by a physician, and withdrew narcotics that were not administered to the patients nor wasted per GAMC's protocol. GAMC's investigation revealed the following discrepancies:

**PATIENT L.G. (#127685220)<sup>1</sup>**

Date & Time	Drug and Quantity Withdrawn from Omnicell	Charting
6-7-10 (8:02 AM)	Dilaudid 2 mg/1 ml ampule	No order; administered 0.5 mg Dilaudid at 8:00 AM; 1.5 mg Dilaudid not charted; wasted, or returned

**PATIENT V.A.G. (#127685261)**

Date & Time	Drug and Quantity Withdrawn from Omnicell	Charting
6-7-10 (9:58 AM)	Ativan 2 mg/1ml Inj.	No order; administered 2 mg Ativan at 9:50 AM

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<sup>1</sup> Patient will be referred to by initials only for the patient's privacy. The patient's identity will be provided in discovery.

**PATIENT R.P. (#127685451)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-7-10 (12:57 PM)	2 Vicodin 5/500 mg tablets	1 Vicodin 5/500 mg tablet ordered; administered 1 Vicodin tablet at 12:45 PM; 1 Vicodin tablet not charted; wasted, or returned

**PATIENT M.A.R. (#127685337)**

Date & Time Administered	Drug and Quantity Withdrawn from Omniceil	Charting
6-7-10 (2:35 PM)	Dilaudid 2 mg/1ml ampule	no order; 2 mg Dilaudid not charted; wasted, or returned

**PATIENT B.G. (#127687796)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-9-10 (7:05 AM) (9:34 AM) (10:49 AM) (1:59 PM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	no order; administered 1 mg Dilaudid at 9:40 AM; 2 mg Dilaudid at 10:00 AM; 1 mg Dilaudid at 10:30 AM; 2 mg Dilaudid at 1:30 PM; 1 mg Dilaudid at 4:00 PM; 1 mg Dilaudid not charted, wasted or returned

**PATIENT J.K. (#127687960)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-9-10 (3:18 PM) 6-9-10 (4:48 PM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	No order; 4 mg Dilaudid not charted; wasted, or returned

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**PATIENT S.D.K. (#127688158)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-9-10 (5:36 PM) 6-9-10 (6:35 PM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	No order; 4 mg Dilaudid not charted; wasted, or returned

**PATIENT R.A. (#127683043)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-10-10 (1:39 PM) 6-10-10 (1:41 PM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/ 1ml ampule	No order; administered 2 mg Dilaudid at 2:21 PM; 2 mg Dilaudid not charted; wasted, or returned

**PATIENT R.S. (#127689032)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-10-10 (8:43 AM) 6-10-10 (9:23 AM) 6-10-10 (10:34 AM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	No order; administered 1 mg Dilaudid at 9:00 AM; 1 mg Dilaudid at 9:45 AM; .5 mg Dilaudid at 11:00 AM; 3.5 mg Dilaudid not charted; wasted, or returned

**PATIENT E.A. (#127689289)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-10-10 (2:43 PM) 6-10-10 (5:14 PM)	1 Morphine 4 mg/1ml Inj. 1 Dilaudid 2 mg/1ml ampule	No order; administered 2 mg. Dilaudid at 5:15 PM; 4 mg Morphine not charted; wasted, or returned

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**PATIENT G.G. (#127689057)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-10-10 (10:30 AM) 6-10-10 (11:51 AM)	1 Dilaudid 2 mg/1ml ampule 2 Vicodin 7.5/750 mg tablets	No order; administered 2 mg Dilaudid at 10:30 AM; 2 tablets Vicodin at 11:45 AM

**PATIENT J.L.C. (#127689545)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-10-10 (5:55 PM) 6-10-10 (6:12 PM) 6-10-10 (6:25 PM)	1 Morphine 4 mg/1ml Inj. 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	Order for 1 mg Dilaudid; wasted 1 mg of Dilaudid at 6:25 PM; administered 4 mg Morphine at 6:00 PM; administered 1 mg Dilaudid at 6:20 PM; 2 mg Dilaudid not charted; wasted, or returned

**PATIENT H.H. (#127692911)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-13-10 (5:16 PM)	1 Morphine 4 mg/1ml Inj.	No order; administered 2 mg of Morphine; 1 mg Morphine not charted; wasted or returned

**PATIENT J.W. (#12769648)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-13-10 (5:16 PM)	1 Morphine 4 mg/1ml Inj.	No order; administered 2 mg Morphine; 2 mg Morphine not charted; wasted, or returned

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**PATIENT A.K. (#127692432)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-13-10 (7:25 AM) 6-13-10 (9:32 AM) 6-13-10 (11:28 AM) 6-14-10 (7:07 AM)	1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule 1 Dilaudid 2 mg/1ml ampule	No order; 8 mg Dilaudid not charted; wasted, or returned

**PATIENT T.R. (#127692424)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-13-10 (7:55 AM)	1 Dilaudid 2 mg/1ml ampule	No order; 2 mg Dilaudid not charted; wasted, or returned

**PATIENT M.D. (#127692481)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-13-10 (10:38AM)	2 Vicodin 7.5/750 mg tablets	No order; administered 2 tablets Vicodin at 10:40 AM

**PATIENT K.K. (#127693505)**

Date & Time	Drug and Quantity Withdrawn from Omniceil	Charting
6-14-10 (6:50 AM) 6-14-10 (6:53 AM) 6-14-10 (7:05 AM)	2 Vicodin 8 mg tablets 1 Morphine 4 mg/1ml Inj 1 Morphine 4 mg/1ml Inj..	No order; 2 Vicodin tablets, 8 mg Morphine not charted; wasted, or returned

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct: Gross Negligence)**

3 15. Respondent is subject to disciplinary action under Code section 2761, subdivision (a),  
4 on the grounds of unprofessional conduct, in that while employed as a registered nurse at GAMC,  
5 Respondent committed unprofessional conduct by withdrawing controlled substances and  
6 dangerous drugs from the Omnicell machine for eighteen (18) patients, and failing to properly  
7 obtain and verify physician's orders, document, waste, account for the controlled substances and  
8 dangerous drugs and/or administer the correct dosage or medication to the patients. Complainant  
9 refers to and incorporates all the allegations contained in paragraphs 13 -14, as though set forth  
10 fully.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Unprofessional Conduct: Illegally Obtained or Possessed Controlled Substances)**

13 16. Respondent is subject to disciplinary action under Code section 2762, subdivision (a),  
14 for unprofessional conduct, in that while employed as a registered nurse at GAMC, Respondent  
15 unlawfully obtained or possessed controlled substances and dangerous drugs without physician's  
16 orders, failed to account for the excess controlled substances and dangerous drugs withdrawn  
17 from Omnicell, and furnished or administered controlled substances and dangerous drugs to  
18 another without physician's orders. Complainant refers to and incorporates all the allegations  
19 contained in paragraphs 13 - 14, as though set forth fully.

20 **THIRD CAUSE FOR DISCIPLINE**

21 **(Unprofessional Conduct: Falsify, Make Grossly Incorrect, or Inconsistent Entries)**

22 17. Respondent is subject to disciplinary action under Code section 2762, subdivision (e),  
23 for unprofessional conduct, in that while employed as a registered nurse at GAMC, Respondent  
24 falsified, or made grossly incorrect or grossly inconsistent entries in the medical records  
25 pertaining to controlled substances and dangerous drugs, which are inconsistent with the  
26 physician's orders and Narcotic Records. Respondent failed to correctly and consistently prepare  
27 and complete documentation pertaining to the administration and accounting of controlled  
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1 substances and dangerous drugs in the medical records. Complainant refers to and incorporates  
2 all the allegations contained in paragraphs 13 -14, as though set forth fully.

3 **PRAYER**

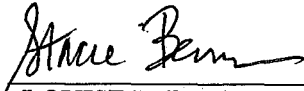
4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 547322, issued to Sydney  
7 Claire Brulja aka Sydney Claire Emerson;

8 2. Ordering Sydney Claire Brulja aka Sydney Claire Emerson to pay the Board of  
9 Registered Nursing the reasonable costs of the investigation and enforcement of this case,  
10 pursuant to Business and Professions Code section 125.3;

11 3. Taking such other and further action as deemed necessary and proper.  
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14 DATED: January 7, 2013

15 for   
16 LOUISE R. BAILEY, M.ED., RN  
17 Executive Officer  
18 Board of Registered Nursing  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant  
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